



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,984	01/26/2001	Raymond Lee	5384/55102	7541

7590 08/19/2004

KEITH E. GEORGE,ESQ  
MC DERMOTT, WILL & EMERY  
600 13 TH STREET N.W.  
WASHINGTON, DC 20005-3096

EXAMINER
----------

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/770,984

Applicant(s)

LEE ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Amendment*

1. Claim 2 has been cancelled and Claims 8-20 have been added; therefore Claims 1, and 3-20 are currently pending in application 09/770,984.

### *Claim Objections*

2. The objection to Claim 1 is withdrawn due to applicant's amendment.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 1, 3-11, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yura (US 6,327,373 B1).**
5. As per independent Claims 1, 5, 8, and 20, Yura discloses a computerized method (system) for learning a delivery point address and updating a database of such delivery point addresses by using unmatched or unused data from at least one mail piece, wherein the method comprises: a. capturing a text string from an image of a first mail piece (C1 L5-15); b. comparing the text string to a first set of preexisting data in the database

(directory retrieval system database) to determine a match for the data on the mail piece according to a first set of predetermined rules (C4 L33-51); c. separating the matched or used data from the unmatched data or unused data (candidate/probable solution) determined by step (b) (C12 L6-22); c. correlating the unmatched or unused data from the mail piece to a second set of preexisting data according to a second set of predetermined rules (C12 L6-22); and e. updating the database with the unmatched or unused data (C12 L6-22). (Abstract, Fig.12, C1 L5-15, C1 L55-65, C2 L18-38, C3 L21-37, C4 L26-50, C11 L54-67, C12 L1-22)

6. Yura fails to expressly disclose wherein the database is updated so that a point of delivery for a second mail piece with the same intended delivery point as the first mail piece and having similar unmatched or unused data as the first mail piece can be automatically determined.
7. However, Yura does teach the registering of a addressee name to correlate with a zip code, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the newly registered data for future zip code/address searches (Fig.12, C11 L54-67, C12 L1-22).
8. As per Claims 3 and 6, Yura discloses wherein said capture means comprises an optical character recognition system.
9. As per Claims 4 and 7, Yura discloses wherein said correlation step is performed utilizing a search engine.
10. As per Claim 9, Yura discloses updating the pre-existing delivery point address data with the unmatched data when the unmatched data meets criteria for promotion.

11. As per Claim 10, Yura discloses wherein the step of identifying unmatched data comprises obtaining address data; and comparing the address data with the pre-existing delivery point address data.
12. As per Claim 11, Yura discloses wherein the address is obtained from mail pieces.
13. As per Claim 13, Yura discloses wherein the step of analyzing the unmatched data comprises: identifying a data type for the unmatched data; and identifying the corresponding data for that data type in the pre-existing delivery point address data.
14. As per Claim 14, Yura discloses wherein the step of associating the unmatched data comprises: creating an alias record correlating the unmatched data to corresponding data in the pre-existing delivery point address data.
15. As per Claim 15, Yura discloses wherein the step of updating the preexisting delivery point address data comprises: adding an alias record to a corresponding alias table associated with the pre-existing delivery point address data.
16. As per Claim 16, Yura discloses wherein the criteria for promotion includes a threshold number (one to infinity) of uses of the alias record.
17. As per Claim 17, Yura discloses wherein the step of updating the pre-existing delivery point address data comprises: adding a new delivery point address to the pre-existing delivery point address data in the event that the unmatched data does not correspond to an existing delivery point address.
18. As per Claim 18, Yura discloses selectively removing from the pre-existing delivery point address data the unmatched data when the unmatched data meets criteria for demotion.

19. As per Claim 19 Yura discloses prioritizing the unmatched data according to selection criteria prior to analyzing the unmatched data.
20. **Claim 12 is rejected under 35 U.S.C. 103 as being unpatentable over Yura.**
21. As per Claim 12, Yura does not expressly show wherein the address is obtained from the internet.
22. However these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The delivery point address learning/updating method would be performed regardless of the where the address is obtained. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).
23. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have obtained the address from the internet, because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

***Response to Arguments***

24. Applicant's arguments filed 5/14/04, with respect to Claims 1 and 3-20, have been considered but are moot in view of the new ground(s) of rejection.
25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

26. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
27. The Applicant Makes the argument that Yura fails to separate and correlate unmatched or unused data according to a set of predetermined rules.
28. However, Yura does disclose separating zip code data from addressee name data, and when the zip code data is searched and unmatched, correlating the addressee name data to information in a database and later registering the addressee name data with corresponding zip code data for future zip code searches (Fig.12, C11 L54-67, C12 L1-22).

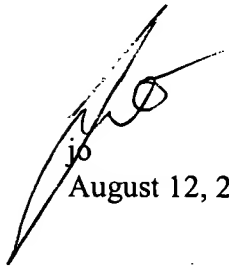
### ***Conclusion***

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-

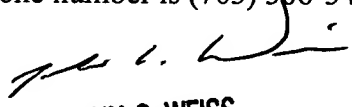
0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

31. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.



August 12, 2004



JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3500